

**REMARKS**

In accordance with the foregoing, claims 1, 4-5, 7, 11, 14-15, 17, 21, 24-25, and 27 amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-30 are pending and under consideration. Reconsideration is respectfully requested.

**Claim Amendments**

Independent claim 1 is amended herein to recite a method "which executes an application that provides said interactive service to a broadcasting receiver in response to an access from said broadcasting receiver; and transmitting, to said broadcasting receiver, data broadcasting contents associated with said interactive service at said service time specified by said information specifying said service time." Independent claims 11 and 21 are similarly amended.

Dependent claims 4 is amended herein to recite the method "wherein in said transmitting said information specifying said interactive service and said information specifying said service time." Dependent claims 5, 14-15, and 24-25 are similarly amended.

Independent claim 7 is amended herein to recite a method "executed by an interactive server that provides an interactive service associated with data broadcasting to a broadcasting receiver, for controlling interlock of said interactive service with said data broadcasting, said method comprising: receiving and storing a set of information specifying an interactive service and information specifying a service time of said interactive service from a broadcasting server in one or a plurality of broadcasting stations, wherein said broadcasting server is managed independently from said interactive server; extracting, from the stored set of said information, a set of information specifying a specific interactive service having a relation to said interactive server and information specifying a service time of said specific interactive service." Independent claims 17 and 27 are similarly amended.

Support for the amendments of claims 1, 4-5, 11, 14-15, 21 and 24-25 is found, for example, on page 11, lines 13-19 and page 12, lines 25-28 of the specification.

Support for the amendments of claims 7, 17, and 27 is found, for example, on page 11, line 30 - page 12, line 3 and page 13, lines 4-7 and page 14, lines 8-13 of the specification.

No new matter is being presented, and approval and entry are respectfully requested.

**Page 3-5: Rejection of claims 1-2, 4, 11-12, 14, 21-22, and 24 under 35 U.S.C. §102(e) as being anticipated by Reynolds et al. (U.S.P. 6,934,963)**

On pages 3-5 of the Office Action, the Examiner rejects independent claims 1, 11, and 21 (and dependent claims 2, 4, 12, 14, 22, and 24) under 35 U.S.C. §102(e) as being anticipated by Reynolds.

The rejection is traversed. As provided in MPEP §706.02 entitled Rejection on Prior Art, anticipation requires that the reference must teach every aspect of a claimed invention. Reynolds does not support an anticipatory-type rejection by not describing features recited in the present application's independent claims.

Independent claim 1, as amended herein, recites a method, executed by a broadcasting server, for controlling interlock of an interactive service with data broadcasting including "acquiring information specifying an interactive service associated with data broadcasting and information specifying a service time of said interactive service; transmitting said information specifying said interactive service and said information specifying said service time, which are acquired in said acquiring, to an interactive server, which is independent from said broadcasting server, and which executes an application that provides said interactive service to a broadcasting receiver in response to an access from said broadcasting receiver; and transmitting, to said broadcasting receiver, data broadcasting contents associated with said interactive service at said service time specified by said information specifying said service time." Independent claims 11 and 21 have similar recitations.

That is, as recited by claims 1, 11, and 21, all as amended herein, using claim 1 as an example, the interactive server provides the interactive service to the broadcasting receiver in response to an access from a broadcasting receiver.

On the other hand, the broadcasting server transmits the data broadcasting contents associated with the interactive service at the service time specified by the information specifying the service time.

Thus, Applicants submit that it is clear that the data broadcasting contents and the interactive service are provided independently from each other.

By contrast, assuming the videos discussed by Reynolds *arguendo* teach "data broadcasting contents" as recited by claim 1, the videos discussed by Reynolds are transmitted from a main facility, i.e., main facility 12 (corresponding *arguendo* to recited "broadcasting server") to the distribution facility, i.e., distribution facility (corresponding *arguendo* to the recited "interactive server"). See, for example, cols. 5-6, starting at line 15.

That is, Reynolds does not teach transmitting from the main facility to a "broadcasting receiver" *arguendo* user television equipment

Reynolds further teaches a hybrid guide system in which:

In the hybrid guide system of the present invention, a main facility (e.g., a satellite uplink facility) provides data from a data source to a number of distribution facilities (e.g., cable system headends, broadcast distribution facilities, a satellite distribution facilities, or any other suitable distribution facilities).

(col. 2, lines 8-12)

That is, Reynolds teaches that the distribution facility provides the hybrid guide including both the received videos and the interactive listings, which may correspond to the interactive service in this claim.

Reynolds indicates that it is

an object of the present invention to provide a hybrid passive-interactive television program guide in which the interactive program guide features are coordinated with the passive program guide components of the system.

(col. 1, lines 57-61).

That is, it is an object of Reynolds so that the videos and the interactive listings are transmitted to the user television equipment all together as the "hybrid guide".

Applicants submit that such a distribution facility taught by Reynolds can not provide the "hybrid guide" if the videos are transmitted to the user television equipment independently from the interactive listings.

Accordingly, Applicants submit that, Reynolds teaches away from the independent claims 1, 11, and 21 reciting data broadcasting contents and the interactive service provided to the broadcasting receiver independently,

### **Summary**

Since features recited by independent claims 1, 11, and 21 (and dependent claims 2, 4, 12, 14, 22, and 24) are not taught by Reynolds, the rejection should be withdrawn and claims 1-2, 4, 11-12, 14, 21-22, and 24 allowed.

### **Pages 5-7: Rejection of claims 7-10, 17-20, and 27-30 under 35 U.S.C. §102(e) as being anticipated by Malaure et al. (U.S.P. 6, 446,262)**

On pages 5-7 of the Office Action the Examiner rejects independent claims 7, 17, and 27 (and respective dependent claims 8-10, 18-20, and 28-30) under 35 U.S.C. §102(e) as being anticipated by Malaure. The rejection is traversed.

On page 3 of the Office Action, the Examiner suggests "cleaning up the claim language

to better clarify where the actions are taking place."

Claim 7, as amended herein, recites a method, executed by an interactive server that provides an interactive service associated with data broadcasting to a broadcasting receiver, for controlling interlock of said interactive service with said data broadcasting, said method comprising: receiving and storing a set of information specifying an interactive service and information specifying a service time of said interactive service from a broadcasting server in one or a plurality of broadcasting stations, wherein said broadcasting server is managed independently from said interactive server; extracting, from the stored set of said information, a set of information specifying a specific interactive service having a relation to said interactive server and information specifying a service time of said specific interactive service; and controlling activation and deactivation of each said interactive service based on said extracted set of said information specifying said interactive service and said information specifying said service time of that interactive service." Claims 17 and 27, both as amended herein, have similar recitations.

That is, claims 7, 17, and 27, using claim 7 as an example, recite that extracting a set of information is being performed by the interactive server, not by the broadcasting receiver.

Applicant submits that neither Malaure (nor the other cited art) teaches that the interactive server extracts "a set of information specifying a specific interactive service having a relation to said interactive server and information specifying a service time of said specific interactive service (emphasis added)."

Since Malaure (and the other cited art) does not teach that the broadcasting server transmits broadcasting data to a plurality of interactive servers, the broadcasting data also includes data that has no relation to the specific interactive server.

By contrast, Malaure merely teaches (see, for example, col. 3, starting at line 10) that:

(t)he digital broadcast network shown in FIG. 1 comprises an interactive game control system 1 including a central computer system (CCS) 2 . . . Broadcast TV stations 8 (BBC1) . . . generate digital audio and video signals which are fed to the broadcast headend multiplexer 4 via respective data feeds 10,11.

That is, Malaure teaches a digital network includes both the BBC1 and the CCS i.e., the central computer system and that the BBC1 and CCS are not controlled independently.

In response to Applicant's arguments filed in the previous Response mailed June 22, 2006 that Malaure does not teach an interactive server, which is managed independently from the broadcasting server, the Examiner asserts:

There is nothing in the cited passage (of Malaure) that proves that the

components are not separate. The applicant may be making the case that the multiplexer (figure 1, part 4), of which both of these components are connected, shows that they are not separate but this is not the case.

(Action at page 2).

Applicant submits that Malaure does not teach an interactive server, which is managed independently from a broadcasting server.

The Examiner has not cited any portion of Malaure which teaches that a broadcasting server and an interactive server are "managed independently." The Examiner's mere assertion that "this is not the case" (even though the Fig. 1 in Malaure illustrates a connected broadcasting server and an interactive server) does not properly support a rejection under §102.

### Summary

Since features recited by independent claims 7, 17, and 27 (and respective dependent claims 8-10, 18-20, and 28-30 are not taught by Malaure, the rejection should be withdrawn, and claims 7-10, 17-20, and 27-30 allowed.

### **Pages 7-9: Rejection of claims 3, 5-6, 13, 15-16, 23 and 25-26 under 35 U.S.C. §103(a) as being unpatentable over Reynolds in view of Grooters (U.S.P. 6,684,399)**

On pages 7-9 of the Office Action, the Examiner rejects 3, 5-6, 13, 15-16, 23 and 25-26 under 35 U.S.C. §103(a) as being unpatentable over Reynolds in view of Grooters. The rejection is traversed.

As provided in MPEP §2143.03 "To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F. 2d 1981, (CCPA 1974)." Applicant submits that features recited by claims 3, 5-6, 13, 15-16, 23 and 25-26 are not taught by the cited art.

Dependent claim 3 recites a method "wherein said acquiring further includes extracting second information specifying said interactive service from content information of said data broadcasting and comparing the second extracted information with said information specifying said interactive service extracted from said interactive service organization information." Claims 13 and 23 have similar recitations.

Even if *arguendo* the content data in Grooters corresponds to the recited "information specifying said interactive service" Reynolds in combination with Grooters does not teach extracting second information specifying the interactive service from content information of the data broad casting or to compare the information specifying the interactive service and the second information specifying said interactive service.

By contrast, Grooters merely teaches a generating and presenting an electronic program

guide. Grooters does not teach or suggest controlling interlock of an interactive service with data broadcasting.

Dependent claim 5 recites a method further "generating information as to whether each interactive service must be activated at present based on said information specifying said service time of each said interactive service, and wherein in said transmitting said information specifying said interactive service and said information specifying said service time, said information as to whether each said interactive service must be activated at present is further transmitted." Dependent claims 15 and 25 have similar recitations.

Even if *arguendo* the information indicating the live content taught by Grooters corresponds to the recited information as to whether each interactive service must be activated at present, Applicant submits that Reynolds in combination with Grooters does not teach that information as to whether each said interactive service must be activated at present is transmitted to the interactive server. As discussed above, Reynolds in combination with Grooters does not teach controlling interlock of an interactive service with data broadcasting.

Dependent claim 6 recites a method "further comprising, if information indicating an operating state of said interactive service is received from said interactive server, deleting or invalidating designation of an inactive interactive service in content information of said data broadcasting." Dependent claims 16 and 26 have similar recitations.

Even if *arguendo* the information indicating the live content taught by Grooters corresponds to the recited information indicating an operating state of said interactive service, Applicant submits that Reynolds in combination with Grooters does not teach the recited "deleting or invalidating designation of an inactive interactive service" in content information of said data broadcasting. In addition, Reynolds in combination with Grooters does not teach controlling interlock of an interactive service with data broadcasting

### **Summary**

Since *prima facie* obviousness is not established, the rejection should be withdrawn and dependent claims 3, 5-6, 13, 15-16, 23 and 25-26 should be allowed.

### **CONCLUSION**

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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